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MEMORANDUM

TO: Vermont Educators
FROM: Rebecca Holcombe, Secretary of Education
COPY: Jeff Francis, Executive Director, VSA; Ken Page, Executive Director, VPA
SUBJECT: Reporting Concerns Related to Unprofessional Conduct or Incompetence
DATE: April 9, 2014

We appreciate the work you do on a daily basis to ensure that our schools are safe places for our children. Our first obligation is to protect the children in our care, as well as the adults who care for them. To this end, we are required to report concerns that jeopardize the safety and well-being of those in our schools.

I am writing to encourage you to take a moment with your team to review your obligations with respect to reporting concerns related to unprofessional conduct or incompetence.

Under 16 V.S.A., Chapter 51, Section 1699, any individual who has reasonable cause to believe a licensee has engaged in unprofessional conduct or is incompetent may submit a written report to my office concerning allegations or concerns. Superintendents are required to submit reports when there is reasonable cause. Principals who submit reports shall submit them to the superintendent, and may also submit them directly to my office.

The reason for mandatory reporting for superintendents is to ensure that situations of concern are investigated by a trained team. Mandatory reporting also removes the burden of investigating and making decisions about these cases from superintendents and educators in the field, and ensures that those who experience the effects of unprofessional and/or incompetent behavior have their concerns reviewed by an independent third party.

Except as provided in [Section 1708](#) of this title, information provided to my office will be confidential. The purpose of confidentiality is to protect the reputation of licensees from public disclosure of unwarranted complaints and to protect complainants from retaliation. If our investigation results in public action, we will serve the public's right to know of any action as may be permitted or required.

Without a system that reports concerns, and provides for confidential review of such concerns, we cannot protect the safety of children in our care, and in some cases, the adults who care for those children. Without this safety, our children cannot thrive and reach their potential.

Thank you for continuing to help us make our schools safe for all who live and work in them.